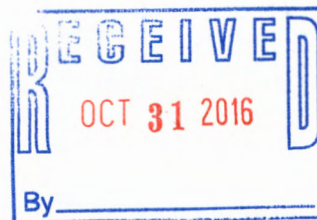


CLAY DANIEL WALTON & ADAMS PLC



October 25, 2016

THOMAS E. CLAY
KIRSTEN R. DANIEL*
THEODORE W. WALTON*
GARRY R. ADAMS
LOUIS P. WINNER^
LAURA E. LANDENWICH*
DANIEL J. CANON
CANDACE L. CURTIS
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SARAH M. TATE
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A. PETE LAY
KRISTIN M. BIRKHOOD
JOHN S. PHILLIPS

*ALSO LICENSED IN INDIANA

^ ALSO LICENSED IN NEW YORK AND TEXAS

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Re: Freedom of Information Act Request

Dear Sir or Madam,

On December 1, 2015, I wrote requesting copies of all documents related to complaints or investigations of EMSL Analytical, Inc. On January 27, 2016, I sent follow up correspondence, and I then received a response from EPA Region Two. However, to date, I have not received a response from your office. I have enclosed, for your convenience, copies of my previous correspondence and the response from EPA Region Two.

Pursuant to the Freedom of Information Act, we are hereby requesting that you provide us with a complete copy of the following:

- All documents concerning the loss of EPA accreditation of EMSL's Westmount, NJ PCR and DNA Analysis Laboratory.
- All documents concerning the loss of accreditation for any other EMSL Analytical, Inc. laboratory.
- All documents related to surveys of EMSL's Westmount, NJ labs performed from 2005-2013.
- All documents related to surveys of EMSL's Westmount, NJ PCR and DNA Analysis Laboratory performed from 2005-2013.
- All documents concerning EMSL's failure to follow quality controls in reporting laboratory test results.
- All documents concerning allegations or investigations of laboratory fraud related to EMSL.

CLAY DANIEL WALTON & ADAMS PLC

MEIDINGER TOWER, SUITE 101 462 SOUTH FOURTH STREET LOUISVILLE, KY 40202 (502) 561-2005 FAX: (502) 415-7505

January 27, 2016

Page 2

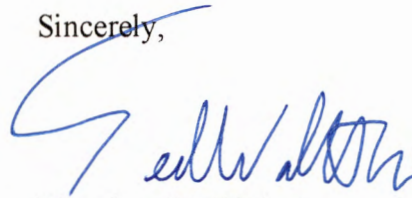
- All documents submitted by EMSL related to request for certification, recertification, survey results, reinstatement, quality control procedures, and the like, related to EMSL's PCR and DNA Analysis Laboratory.
- All documents concerning any investigations, surveys, certifications action, related to EMSL's asbestos air monitoring.

In addition to the above requests, I am also requesting the following:

- All documents related to Dr. Quanyi Li's BEACHES Study: QPCR Water Sample Analysis by EMSL Analytical, Inc. The cover page to that report is also enclosed.

Should you have any questions or require additional information, please feel free to contact me.

Sincerely,



Theodore W. Walton

TWW/sec
Enclosure

CLAY DANIEL WALTON & ADAMS PLC

MEIDINGER TOWER, SUITE 101 462 SOUTH FOURTH STREET LOUISVILLE, KY 40202 (502) 561-2005 FAX: (502) 415-7505

290 Broadway
NYC, NY 10007

Theodore Walton
Clay Daniel Walton & Adams PLC
Meidinger Tower, Suite 101
462 South Fourth Street
Louisville, KY 40202

January 11, 2016

Dear Theodore Walton,

EPA-R2-2016-001946 has been processed with the following final disposition: No records. Appropriate files were searched in response to your FOIA request assigned the previously mentioned tracking number, however, we located no responsive materials.

This is not a denial of records, but, if you consider it to be one, you may submit your appeal to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), E-mail: FOIA_HQ@epa.gov; Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the case file number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

This concludes EPA Region 2 response.

Respectfully,

/s/

Mary Mears

Deputy Director Public Affairs and Chief Public Outreach Branch

U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)



CLAY DANIEL WALTON & ADAMS PLC



USEPA - REG2
PAD - FOIA OFFICE

2015 FEB -2 PM 2: 21

January 27, 2016

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Regional Freedom of Information Officer
U.S. EPA, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

Re: Freedom of Information Act Request

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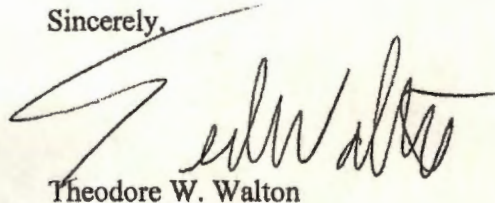
MEIDINGER TOWER, SUITE 101 462 SOUTH FOURTH STREET LOUISVILLE, KY 40202 (502) 561-2005 FAX: (502) 415-7505

January 27, 2016
Page 2

- All documents concerning allegations or investigations of laboratory fraud related to EMSL.
- All documents submitted by EMSL related to request for certification, recertification, survey results, reinstatement, quality control procedures, and the like, related to EMSL's PCR and DNA Analysis Laboratory.
- All documents concerning any investigations, surveys, certifications action, related to EMSL's asbestos air monitoring.

Should you have any questions or require additional information, please feel free to contact me.

Sincerely,

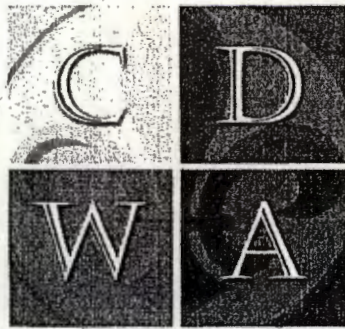


Theodore W. Walton

TWW/ab
Enclosure

CLAY DANIEL WALTON & ADAMS PLC

MEIDINGER TOWER, SUITE 101 462 SOUTH FOURTH STREET LOUISVILLE, KY 40202 (502) 561-2005 FAX: (502) 415-7505



CLAY DANIEL WALTON & ADAMS PLC



USEPA - REG2
PAD - FOIA OFFICE

2015 FEB -2 PM 2:21

December 1, 2015

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Regional Freedom of Information Officer
U.S. EPA, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

Re: Freedom of Information Act Request

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December 1, 2015
Page 2

- All documents submitted by EMSL related to request for certification, recertification, survey results, reinstatement, quality control procedures, and the like, related to EMSL's PCR and DNA Analysis Laboratory.
- All documents concerning any investigations, surveys, certifications action, related to EMSL's asbestos air monitoring.

Call me with any questions. Thank you for your attention to this matter.

Sincerely,

Theodore W. Walton

TWW

CLAY DANIEL WALTON & ADAMS PLC

MEIDINGER TOWER, SUITE 101 462 SOUTH FOURTH STREET LOUISVILLE, KY 40202 (502) 561-2005 FAX: (502) 415-7505

DRAFT FINAL REPORT

AUDIT DESCRIPTION

Audit Type: Extramural Technical Systems Audit

Date Review Performed: 7 October 2009

Auditor: Mr. Michael Ray, National Health and Environmental Effects Research Laboratory (NHEERL), U.S. Environmental Protection Agency

QPCR Technical Consultant: Dr. Rich Haugland, National Exposure Research Laboratory (NERL), U.S. Environmental Protection Agency

Project Audited: BEACHES Study: QPCR Water Sample Analysis by EMSL Analytical, Inc.

NHEERL Principal Investigator: Dr. Timothy Wade

Review Location: EMSL Analytical, Inc. Facility, Westmont, NJ

Date: 9 October 2009



CONFIDENTIAL